

Senate Study Bill 1198

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CO=CHAIRPERSON HORN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the conduct of elections and voter
2 registration and including applicability provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2448SC 81
5 sc/cf/24

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1 1 DIVISION I
1 2 GENERAL PROVISIONS RELATING
1 3 TO CONDUCT OF ELECTIONS
1 4 Section 1. Section 43.6, subsection 2, Code 2005, is
1 5 amended to read as follows:
1 6 2. When a vacancy occurs in the office of county
1 7 supervisor or any of the offices listed in section 39.17 and
1 8 more than seventy days remain in the term of office following
1 9 the next general election, the office shall be filled for the
1 10 balance of the unexpired term at that general election unless
1 11 the vacancy has been filled by a special election called more
1 12 than seventy-three days before the primary election. If the
1 13 vacancy occurs more than seventy-three days before the primary
1 14 election, political party candidates for that office at the
1 15 next general election shall be nominated at the primary
1 16 election. If an appointment to fill the vacancy in office is
1 17 made eighty-eight or more days before the primary election and
1 18 a petition requesting a special election has not been received
1 19 within fourteen days after the appointment is made, candidates
1 20 for the office shall be nominated at the primary election.
1 21 Sec. 2. Section 43.14, Code 2005, is amended to read as
1 22 follows:
1 23 43.14 FORM OF NOMINATION PAPERS.
1 24 1. Nomination papers shall include a petition and an
1 25 affidavit of candidacy. All nomination petitions shall be
1 26 eight and one-half by eleven inches in size and in
1 27 substantially the form prescribed by the state commissioner of
1 28 elections. They shall include or provide spaces for the
1 29 following information:
1 30 a. A statement identifying the signers of the petition as
1 31 eligible electors of the appropriate county or legislative
1 32 district and of the state.
1 33 b. The name of the candidate nominated by the petition.
1 34 c. For nomination petitions for candidates for the general
1 35 assembly, a statement that the residence of the candidate is
2 1 within the appropriate legislative district, or if that is not
2 2 true, that the candidate will reside there within sixty days
2 3 before the election. For other offices, a statement of the
2 4 name of the county where the candidate resides.
2 5 d. The political party with which the candidate is a
2 6 registered voter.
2 7 e. The office sought by the candidate, including the
2 8 district number, if any.
2 9 f. The date of the primary election for which the
2 10 candidate is nominated.
2 11 2. Signatures on a petition page shall be counted only if
2 12 the required information required in subsection 1 is written
2 13 or printed at the top of the page. Nomination papers on
2 14 behalf of candidates for seats in the general assembly need
2 15 only designate the number of the senatorial or representative
2 16 district, as appropriate, and not the county or counties, in

2 17 which the candidate and the petitioners reside. A signature
2 18 line shall not be counted if the line lacks the signature of
2 19 the eligible elector and the signer's address and city. ~~The~~
~~2 20 person examining the petition shall mark any deficiencies on~~
~~2 21 the petition and affidavit. A signature line shall not be~~
~~2 22 counted if the signer's address is obviously outside the~~
2 23 boundaries of the district.

2 24 ~~2.~~ 3. The person examining the petition shall mark any
2 25 deficiencies on the petition and affidavit. Signed nomination
2 26 petitions and the signed and notarized affidavit of candidacy
2 27 shall not be altered to correct deficiencies noted during
2 28 examination. If the nomination petition lacks a sufficient
2 29 number of acceptable signatures, the nomination petition shall
2 30 be rejected and shall be returned to the candidate.

2 31 4. The nomination papers shall be rejected if the
2 32 affidavit lacks any of the following:

2 33 a. The candidate's name.
2 34 b. The name of the office sought, including the district,
2 35 if any.

3 1 c. The political party name.
3 2 d. The signature of the candidate.
3 3 e. The signature of a notary public or other officer
3 4 empowered to witness oaths.

3 5 5. The candidate may replace a deficient affidavit with a
3 6 corrected affidavit only if the replacement affidavit is filed
3 7 before the filing deadline. The candidate may resubmit a
3 8 nomination petition that has been rejected by adding a
3 9 sufficient number of pages or signatures to correct the
3 10 deficiency. A nomination petition and affidavit filed to
3 11 replace rejected nomination papers shall be filed together
3 12 before the deadline for filing.

3 13 Sec. 3. Section 45.5, Code 2005, is amended to read as
3 14 follows:

3 15 45.5 FORM OF NOMINATION PAPERS.

3 16 1. Nomination papers shall include a petition and an
3 17 affidavit of candidacy. All nomination petitions shall be
3 18 eight and one-half by eleven inches in size and shall be in
3 19 substantially the form prescribed by the state commissioner of
3 20 elections. They shall provide spaces for the following
3 21 information:

3 22 a. A statement identifying the signers of the petition as
3 23 eligible electors of the appropriate ward, city, county,
3 24 ~~school district or school district director district, or~~
3 25 legislative district and of the state of Iowa.

3 26 b. The name of the candidate nominated by the petition.

3 27 c. A statement that the candidate is or will be a resident
3 28 of the appropriate ward, city, county, school district, or
3 29 legislative or other district as required by section 39.27.

3 30 d. The office sought by the candidate, including the
3 31 district number, if any.

3 32 e. The name and date of the election for which the
3 33 candidate is nominated.

3 34 2. Signatures on a petition page shall be counted only if
3 35 the ~~required~~ information required in subsection 1 is written
4 1 or printed at the top of the page. Nomination papers on
4 2 behalf of candidates for seats in the general assembly need
4 3 only designate the number of the senatorial or representative
4 4 district, as appropriate, and not the county or counties, in
4 5 which the candidate and the petitioners reside. A signature
4 6 line in a nomination petition shall not be counted if the line
4 7 lacks the signature of the eligible elector and the signer's
4 8 address and city. ~~The person examining the petition shall~~
~~4 9 mark any deficiencies on the petition. A signature line shall~~
~~4 10 not be counted if the signer's address is obviously outside~~
~~4 11 the boundaries of the appropriate ward, city, school district~~
~~4 12 or school district director district, or other district.~~

4 13 ~~2.~~ 3. The pages of the petition shall be securely
4 14 fastened together to form a single bundle. Nomination
4 15 petitions that are not bound shall be returned without further
4 16 examination. The state commissioner shall prescribe by rule
4 17 the acceptable methods for binding nomination petitions.

4 18 ~~3.~~ 4. The person examining the petition shall mark any
4 19 deficiencies on the petition. Signed nomination petitions and
4 20 the signed and notarized affidavit of candidacy shall not be
4 21 altered to correct deficiencies noted during the examination.
4 22 If the nomination petition lacks a sufficient number of
4 23 acceptable signatures, the nomination papers shall be rejected
4 24 and returned to the candidate.

4 25 5. The nomination papers shall be rejected if the
4 26 affidavit lacks any of the following:

4 27 a. The candidate's name.

4 28 b. The name of the office sought, including the district,
4 29 if any.

4 30 c. The signature of the candidate.

4 31 d. The signature of a notary public or other officer
4 32 empowered to witness oaths.

4 33 6. The candidate may replace a deficient affidavit with a
4 34 corrected one only if the replacement is filed before the
4 35 filing deadline. The candidate may resubmit a nomination
5 1 petition that has been rejected by adding a sufficient number
5 2 of pages or signatures to correct the deficiency. A
5 3 nomination petition and affidavit filed to replace rejected
5 4 nomination papers shall be filed together before the deadline
5 5 for filing.

5 6 Sec. 4. Section 45.6, subsection 3, Code 2005, is amended
5 7 to read as follows:

5 8 3. All signers, for all nominations, of each separate part
5 9 of a nomination petition, shall reside in the appropriate
5 10 ward, city, county, school district, ~~or legislative district,~~
5 11 or other district as required by section 45.1.

5 12 Sec. 5. Section 49.10, subsection 4, Code 2005, is amended
5 13 to read as follows:

5 14 4. ~~No~~ A single room or area of any building or facility
5 15 ~~shall may~~ be fixed as the polling place for more than one
5 16 precinct ~~unless there are separate entrances each.~~ The
5 17 location of each polling place shall be clearly marked within
5 18 the room or area on the days on which elections are held as
5 19 ~~the entrance to location of~~ the polling place of a particular
5 20 precinct, and suitable arrangements ~~are~~ shall be made within
5 21 the room or area to prevent direct access from the polling
5 22 place of any precinct to the polling place of any other
5 23 precinct. When the commissioner has fixed such a polling
5 24 place for any precinct it shall remain the polling place at
5 25 all subsequent elections, except elections for which the
5 26 precinct is merged with another precinct as permitted by
5 27 section 49.11, until the boundaries of the precinct are
5 28 changed or the commissioner fixes a new polling place, except
5 29 that the polling place shall be changed to a point within the
5 30 boundaries of the precinct at any time not less than sixty
5 31 days before the next succeeding election that a building or
5 32 facility suitable for such use becomes available within the
5 33 precinct.

5 34 Sec. 6. Section 49.14, subsection 1, Code 2005, is amended
5 35 to read as follows:

6 1 1. The commissioner may appoint substitute precinct
6 2 election officials as alternates for election board members.
6 3 ~~A majority of the original election board members shall be~~
6 4 ~~present at the precinct polling place at all times; However,~~
6 5 ~~at partisan elections such the majority of election board~~
6 6 ~~members at the precinct polling place shall include at least~~
6 7 ~~one precinct election official from each political party. If~~
6 8 ~~the chairperson leaves the polling place, the chairperson~~
6 9 ~~shall designate another member of the board to serve as~~
6 10 ~~chairperson until the chairperson returns. The~~
6 11 ~~responsibilities and duties of a precinct election official,~~
6 12 ~~other than the chairperson, present at the time the polling~~
6 13 ~~place was opened on the day of an election may be assumed at~~
6 14 ~~any later time that day by a substitute appointed as an~~
6 15 ~~alternate. The substitute shall serve either for the balance~~
6 16 ~~of that election day or for any shorter period of time the~~
6 17 ~~commissioner may designate.~~

6 18 Sec. 7. Section 49.26, subsection 2, Code 2005, is amended
6 19 to read as follows:

6 20 2. When voting machines are available for an election
6 21 precinct, the commissioner shall determine in advance of each
6 22 regular city election, or special city election, conducted for
6 23 a city of three thousand five hundred or less population or
6 24 any regular school election, or school district special
6 25 election, conducted for a school district in which voting
6 26 occurs in that precinct whether voting there shall be by
6 27 machine or paper ballot. ~~If the commissioner concludes, on~~
6 28 ~~the basis of voter turnout for recent similar elections and~~
6 29 ~~factors considered likely to affect voter turnout for the~~
6 30 ~~forthcoming election, that voting will probably be so light as~~
6 31 ~~to make preparation and use of paper ballots less expensive~~
6 32 ~~than preparation and use of a voting machine, paper ballots~~
6 33 ~~shall be used.~~

6 34 Sec. 8. Section 49.31, subsection 2, unnumbered paragraph
6 35 2, Code 2005, is amended to read as follows:

7 1 On the general election ballot the names of candidates for
7 2 the nonpartisan offices listed in section 39.21 shall be
7 3 arranged by drawing lots for position in alphabetical order by

~~7 4 surname under the heading of the office to be filled. The
7 5 board of supervisors shall hold the drawing at its first
7 6 meeting following the deadline for receipt of objections and
7 7 withdrawals by candidates for the general election.~~

7 8 Sec. 9. Section 49.57, subsections 2 and 3, Code 2005, are
7 9 amended to read as follows:

7 10 2. In the area of the general election ballot for straight
7 11 party voting, the party ~~or organization~~ names shall be printed
7 12 in ~~capital upper case and lower case~~ letters of using a
7 13 uniform font size, ~~in~~ for each political party or nonparty
7 14 political organization. The font size shall be not less than
7 15 twelve point type. After the name of each candidate for a
7 16 partisan office the name of the candidate's political party
7 17 shall be printed in at least six point type. ~~The names of~~
7 18 ~~political parties and nonparty political organizations may be~~
7 19 ~~abbreviated on the remainder of the ballot if both the full~~
7 20 ~~name and the abbreviation appear in the "Straight Party" and~~
7 21 ~~"Other Political Party" areas of the ballot.~~

7 22 3. The names of candidates shall be printed in ~~capital~~
7 23 ~~upper case and lower case~~ letters, ~~of using a uniform font~~
7 24 size throughout the ballot, ~~in~~. The font size shall be not
7 25 less than ten point type.

7 26 Sec. 10. Section 49.57, Code 2005, is amended by adding
7 27 the following new subsection:

7 28 NEW SUBSECTION. 3A. In no case shall the font size for
7 29 public measures, constitutional amendments, and constitutional
7 30 convention questions, and summaries thereof, be less than ten
7 31 point type.

7 32 Sec. 11. Section 49.57, subsection 5, Code 2005, is
7 33 amended to read as follows:

7 34 5. A portion of the ballot, which can be shown to the
7 35 precinct officials without revealing any of the marks made by
8 1 the voter, shall include the words "Official ballot", ~~a~~
~~8 2 designation of the ballot rotation, if any the unique~~
8 3 ~~identification number or name assigned by the commissioner to~~
8 4 ~~the ballot style, the date of the election, and a facsimile of~~
8 5 the signature of the commissioner who has caused the ballot to
8 6 be printed pursuant to section 49.51.

8 7 Sec. 12. Section 49.73, subsection 1, paragraph e, Code
8 8 2005, is amended to read as follows:

8 9 e. ~~The Any election conducted for the unincorporated area~~
8 10 ~~of any a county voting on a local option sales and services~~
~~8 11 tax pursuant to section 423B.1.~~

8 12 Sec. 13. Section 49.77, subsections 1 and 2, Code 2005,
8 13 are amended to read as follows:

8 14 1. The board members of their respective precincts shall
8 15 have charge of the ballots and furnish them to the voters.
8 16 Any person desiring to vote shall sign a voter's declaration
8 17 provided by the officials, in substantially the following
8 18 form:

8 19 VOTER'S DECLARATION OF ELIGIBILITY

8 20 I do solemnly swear or affirm that I am a resident of the
8 21 precinct, ward or township, city of, county
8 22 of, Iowa.

8 23 I am a registered voter. I have not voted and will not
8 24 vote in any other precinct in said election.

8 25 I understand that any false statement in this declaration
8 26 is a criminal offense punishable as provided by law.

8 27
8 28 Signature of Voter
8 29
8 30 Address
8 31
8 32 Telephone

8 33 Approved:

8 34

8 35 Board Member

9 1 ~~This declaration shall be printed on each page of the~~
9 2 ~~election register and the voter shall sign the election~~
9 3 ~~register next to the voter's printed name. The voter's~~
9 4 ~~signature in the election register shall be considered the~~
9 5 ~~voter's signed declaration of eligibility affidavit.~~

9 6 2. ~~One of the precinct election officials shall announce~~
9 7 ~~the voter's name aloud. The precinct election official shall~~
9 8 ~~make available for viewing a listing of those voters who have~~
9 9 ~~signed declarations of eligibility for the benefit of any~~
9 10 persons present pursuant to section 49.104, subsection 2, 3,
9 11 or 5. Any of those persons may upon request view the ~~signed~~
9 12 ~~declarations of eligibility and may review the signed~~
9 13 ~~declarations on file listing of those voters who have signed~~
9 14 ~~declarations of eligibility, so long as the person does not~~

9 15 interfere with the functions of the precinct election
9 16 officials.

9 17 Sec. 14. Section 49.79, Code 2005, is amended to read as
9 18 follows:

9 19 49.79 CHALLENGES.

9 20 1. Any person offering to vote may be challenged as
9 21 unqualified by any precinct election official or registered
9 22 voter. It is the duty of each official to challenge any
9 23 person offering to vote whom the official knows or suspects is
9 24 not duly qualified. A ballot shall be received from a voter
9 25 who is challenged, but only in accordance with section 49.81.

9 26 2. A person may be challenged for any of the following
9 27 reasons:

9 28 a. The challenged person is not a citizen of the United
9 29 States.

9 30 b. The challenged person is less than eighteen years of
9 31 age as of the date of the election at which the person is
9 32 offering to vote.

9 33 c. The challenged person is not a resident at the address
9 34 where the person is registered. However, a person who is
9 35 reporting a change of address at the polls on election day
10 1 pursuant to section 48A.27, subsection 2, paragraph "a",
10 2 subparagraph (3) shall not be challenged for this reason.

10 3 d. The challenged person is not a resident of the precinct
10 4 where the person is offering to vote.

10 5 e. The challenged person has falsified information on the
10 6 person's registration form or on the person's declaration of
10 7 eligibility.

10 8 f. The challenged person has been convicted of a felony,
10 9 and the person's voting rights have not been restored.

10 10 g. The challenged person has been adjudged by a court of
10 11 law to be a person who is incompetent to vote and no
10 12 subsequent proceeding has reversed that finding.

10 13 Sec. 15. Section 50.16, Code 2005, is amended to read as
10 14 follows:

10 15 50.16 TALLY LIST OF BOARD.

10 16 The tally list shall be prepared in writing by the election
10 17 board giving, in legibly printed numerals, the total number of
10 18 people who cast ballots in the precinct, the total number of
10 19 ballots cast for each ~~officer~~ office, except those rejected,
10 20 the name of each person voted for, and the number of votes
10 21 given to each person for each different office. The tally
10 22 list shall be signed by the precinct election officials, and
10 23 be substantially as follows:

10 24 At an election at in township, or in
10 25 precinct of city or township, in county, state of
10 26 Iowa, on the ... day of ~~A.D.~~ ..., there were ... ballots
10 27 cast for the office of of which
10 28 (Candidate's name) had .. votes.
10 29 (Candidate's name) had .. votes.
10 30 (and in the same manner for any other officer).

10 31 A true tally list:

10 32 (Name) Election Board
10 33 (Name) Members.
10 34 (Name)

10 35 Attest:

11 1 (Name) Designated
11 2 (Name) Tally Keepers.

11 3 Sec. 16. Section 50.25, subsection 7, Code 2005, is
11 4 amended by striking the subsection.

11 5 Sec. 17. Section 50.25, Code 2005, is amended by adding
11 6 the following new unnumbered paragraph:

11 7 NEW UNNUMBERED PARAGRAPH. The abstract of the votes for
11 8 each county office is not required to be made on a different
11 9 sheet.

11 10 Sec. 18. Section 52.25, unnumbered paragraph 2, Code 2005,
11 11 is amended to read as follows:

11 12 The entire convention question, amendment, or public
11 13 measure shall be printed and displayed prominently in at least
11 14 four places within the voting precinct, and inside each voting
11 15 booth, or on the left-hand side inside the curtain of each
11 16 voting machine, the printing to be in conformity with the
11 17 provisions of chapter 49. The question, amendment, or
11 18 measure, and summaries thereof, shall be printed on the

11 19 special paper ballots or on the inserts used in the voting
11 20 machines. In no case shall the font size be less than ten
11 21 point type. The public measure shall be summarized by the

11 22 commissioner ~~and in the largest type possible printed on the~~
~~11 23 special paper ballots or inserts used in the voting machines,~~
11 24 except that:

11 25 Sec. 19. Section 376.11, unnumbered paragraphs 1 and 2,

11 26 Code 2005, are amended to read as follows:

11 27 Write-in votes are permitted to be cast in all elections
11 28 for city offices. A person who receives a sufficient number
11 29 of write-in votes to be elected to a city office shall be
11 30 declared the winner of the election. If a person who was
11 31 elected by write-in votes chooses not to serve in that office
11 32 the person shall submit a resignation in writing to the city
11 33 clerk not later than five o'clock p.m. on the tenth day
11 34 following the canvass of the election. If a person who was
11 35 elected by write-in votes resigns at a later time, the office
12 1 shall be considered vacant at the end of the term and the
12 2 council shall fill the vacancy pursuant to the provisions of
12 3 section 372.13, subsection 2.

12 4 Except in cities where the council has chosen a runoff
12 5 election in lieu of a primary, following the resignation of a
12 6 person who was elected by write-in votes, the city clerk shall
12 7 notify the person who received the next highest number of
12 8 votes cast for the office that the person may assume the
12 9 office. If the person accepts the position, the person shall
12 10 be considered the duly elected officer unless, within ten days
12 11 after the clerk has given notice, a petition requesting a
12 12 special election is filed by eligible electors of the city
12 13 equal in number to twenty-five percent of the number of
12 14 persons who voted for the office at the election. If the
12 15 person declines, the person shall do so in writing to the city
12 16 clerk within ten days and the office shall be considered
12 17 vacant at the end of the term. The vacancy shall be filled
12 18 pursuant to the provisions of section 372.13, subsection 2. If
12 19 the council chooses to appoint, the appointment may be made
12 20 before the end of the current term.

12 21 Sec. 20. APPLICABILITY DATE. This division of this Act
12 22 applies to elections held on or after January 1, 2006.

12 23 DIVISION II
12 24 ABSENTEE VOTING

12 25 Sec. 21. Section 39A.4, subsection 1, paragraph c,
12 26 subparagraphs (10), (11), and (12), Code 2005, are amended to
12 27 read as follows:

12 28 (10) As an incumbent officeholder of, or a candidate for,
12 29 an office being voted for at the election in progress, serving
12 30 as a member of a challenging committee or observer under
12 31 section 49.104, subsection 2, 5, or 6, or section 53.23,
12 32 subsection 4.

12 33 (11) Returning a voted absentee ballot, by mail or in
12 34 person, to the commissioner's office and the person returning
12 35 the ballot is not the voter, an immediate family member of the
13 1 voter, an absentee ballot courier, a special precinct election
13 2 official designated pursuant to section 53.22, subsection 1,
13 3 or the designee of a voter described in section 53.22,
13 4 subsection 5.

13 5 (12) Making a false or untrue statement reporting that a
13 6 voted absentee ballot was returned to the commissioner's
13 7 office, by mail or in person, by a person other than the
13 8 voter, an immediate family member of the voter, an absentee
13 9 ballot courier, a special precinct election official
13 10 designated pursuant to section 53.22, subsection 1, or the
13 11 designee of a voter described in section 53.22, subsection 5.

13 12 Sec. 22. Section 39A.5, subsection 1, paragraph b,
13 13 subparagraph (2), Code 2005, is amended to read as follows:

13 14 (2) ~~Neglecting or refusing to return an absentee ballot in~~
13 15 ~~violation of section 53.35, or violating~~ Violating any other
13 16 provision of chapter 53 for which another penalty is not
13 17 provided.

13 18 Sec. 23. Section 49.63, Code 2005, is amended to read as
13 19 follows:

13 20 49.63 TIME OF PRINTING == INSPECTION AND CORRECTION.

13 21 Ballots shall be printed and in the possession of the
13 22 commissioner in time to enable the commissioner to furnish
13 23 ballots to absent voters as provided by sections 53.8, 53.10,
13 24 and 53.11. The printed ballots shall be subject to the
13 25 inspection of candidates and their agents. If mistakes are
13 26 discovered, they shall be corrected without delay, in the
13 27 manner provided in this chapter.

13 28 Sec. 24. Section 50.20, Code 2005, is amended to read as
13 29 follows:

13 30 50.20 NOTICE OF NUMBER OF PROVISIONAL BALLOTS.

13 31 The commissioner shall compile a list of the number of
13 32 provisional ballots cast under section 49.81 in each precinct.
13 33 The list shall be made available to the public as soon as
13 34 possible, but in no case later than nine o'clock a.m. on the
13 35 second day following the election. Any elector may examine
14 1 the list during normal office hours, and may also examine the

14 2 ~~affidavit affidavits on the provisional ballot envelopes~~
14 3 bearing the ballots of challenged electors until the
14 4 reconvening of the special precinct board as required by this
14 5 chapter. Only those persons so permitted by section 53.23,
14 6 subsection 4, shall have access to the affidavits while that
14 7 board is in session. Any elector may present written
14 8 statements or documents, supporting or opposing the counting
14 9 of any special ballot, at the commissioner's office until the
14 10 reconvening of the special precinct board.

14 11 Sec. 25. Section 53.2, subsections 1 and 4, Code 2005, are
14 12 amended to read as follows:

14 13 1. Any registered voter, under the circumstances specified
14 14 in section 53.1, may on any day, except election day, and not
14 15 more than seventy days prior to the date of the election,
14 16 apply in person for an absentee ballot at the commissioner's
14 17 office or at any location designated by the commissioner.
14 18 However, for those elections in which the commissioner directs
14 19 the polls be opened at noon pursuant to section 49.73, a voter
14 20 may apply in person for an absentee ballot at the
14 21 commissioner's office from eight a.m. until eleven a.m. on
14 22 election day.

14 23 PARAGRAPH DIVIDED. A registered voter may make written
14 24 application to the commissioner for an absentee ballot. A
14 25 written application for an absentee ballot must be received by
14 26 the commissioner no later than five p.m. on the Friday before
14 27 the election. A written application for an absentee ballot
14 28 delivered to the commissioner and received by the commissioner
14 29 more than seventy days prior to the date of the election shall
14 30 be retained by the commissioner and processed in the same
14 31 manner as a written application received not more than seventy
14 32 days before the date of the election. However, in a general
14 33 election year, if an application for an absentee ballot for
14 34 the general election is received on or before primary election
14 35 day, the commissioner shall return the application to the
15 1 voter and shall enclose a notice stating that the application
15 2 may not be submitted until after the primary election.

15 3 4. Each application shall contain the name and signature
15 4 of the registered voter, the registered voter's date of birth,
15 5 the address at which the voter is registered to vote, and the
15 6 name or date of the election for which the absentee ballot is
15 7 requested, and such other information as may be necessary to
15 8 determine the correct absentee ballot for the registered
15 9 voter. If insufficient information has been provided, the
15 10 commissioner shall, by the best means available, obtain the
15 11 additional necessary information.

15 12 Sec. 26. Section 53.7, subsection 1, Code 2005, is amended
15 13 to read as follows:

15 14 1. It shall be unlawful for any employee of the state or
15 15 any employee of a political subdivision to solicit any
15 16 application or request for application for an absentee ballot,
15 17 or to take an affidavit in connection with any absentee ballot
15 18 while the employee is on the employer's premises or otherwise
15 19 in the course of employment. However, any such employee may
15 20 take such affidavit in connection with an absentee ballot
15 21 which is cast by the registered voter in person in the office
15 22 where such employee is employed in accordance with section
15 23 53.10 or 53.11. This subsection shall not apply to any
15 24 elected official.

15 25 Sec. 27. Section 53.8, subsections 1 and 2, Code 2005, are
15 26 amended to read as follows:

15 27 1. Upon receipt of an application for an absentee ballot
15 28 and immediately after the absentee ballots are printed, the
15 29 commissioner shall mail an absentee ballot to the applicant
15 30 within twenty-four hours, except as otherwise provided in
15 31 subsection 3. The absentee ballot shall be enclosed ~~in~~ with
15 32 an unsealed return carrier envelope bearing a serial number
15 33 and voter's affidavit of eligibility. ~~The absentee ballot and~~
15 34 ~~unsealed envelope shall be enclosed in or with a carrier~~
15 35 ~~envelope marked postage paid which bears the same serial~~
16 1 ~~number as the unsealed envelope. The absentee ballot,~~
16 2 ~~unsealed envelope, and carrier envelope shall be enclosed in a~~
16 3 ~~third envelope to be sent to the registered voter. The~~
16 4 ~~envelope shall be marked postage paid.~~ If the ballot cannot
16 5 be folded so that all of the votes cast on the ballot will be
16 6 hidden, the commissioner shall also enclose a secrecy envelope
16 7 with the absentee ballot.

16 8 2. If an application is received so late that it is
16 9 unlikely that the absentee ballot can be returned in time to
16 10 be counted on election day, the commissioner shall enclose
16 11 with the absentee ballot a statement to that effect. The
16 12 statement shall also point out that it is possible for the

16 13 applicant, an immediate family member of the applicant, or the
16 14 applicant's designee if the absentee ballot is voted by a
16 15 voter described in section 53.22, subsection 5, to personally
16 16 deliver the completed absentee ballot to the office of the
16 17 commissioner at any time before the closing of the polls on
16 18 election day. The statement shall also point out that it is
16 19 possible for an absentee ballot courier to personally deliver
16 20 the completed absentee ballot to the office of the
16 21 commissioner within seventy-two hours of retrieving the
16 22 completed ballot or before the closing of the polls on
16 23 election day, whichever is earlier.

16 24 Sec. 28. Section 53.8, subsection 3, unnumbered paragraph
16 25 3, Code 2005, is amended to read as follows:

16 26 Nothing in this subsection nor in section 53.22 shall be
16 27 construed to prohibit a registered voter who is a hospital
16 28 patient or resident of a health care facility, or who
16 29 anticipates entering a hospital or health care facility before
16 30 the date of a forthcoming election, from casting an absentee
16 31 ballot in the manner prescribed by section 53.10 or 53.11.

16 32 Sec. 29. Section 53.12, Code 2005, is amended to read as
16 33 follows:

16 34 53.12 DUTY OF COMMISSIONER.

16 35 The commissioner shall enclose the absentee ballot in an
17 1 unsealed return carrier envelope, to be furnished by the
17 2 commissioner, which envelope shall bear upon its face the
17 3 words "county commissioner of elections", the address of the
17 4 commissioner's office, and the same serial number appearing on
17 5 the unsealed envelope shall be affixed to the application.

17 6 Sec. 30. Section 53.13, Code 2005, is amended to read as
17 7 follows:

17 8 53.13 ~~VOTER'S FORM OF RETURN CARRIER ENVELOPE AND~~
17 9 ~~AFFIDAVIT ON ENVELOPE.~~

17 10 1. On the unsealed return carrier envelope shall be
17 11 printed an affidavit form prescribed by the state commissioner
17 12 of elections.

17 13 2. ~~The return carrier envelope shall be in the form~~
17 14 ~~prescribed by the state commissioner of elections. The form~~
17 15 ~~prescribed by the state commissioner of elections shall~~
17 16 ~~include a method whereby the affidavit can be revealed to the~~
17 17 ~~county commissioner of elections upon receipt of the completed~~
17 18 ~~absentee ballot, pursuant to section 53.18, while allowing the~~
17 19 ~~envelope to remain sealed.~~

17 20 Sec. 31. Section 53.16, Code 2005, is amended to read as
17 21 follows:

17 22 53.16 SUBSCRIBING TO AFFIDAVIT.

17 23 After marking the ballot, the voter shall make and
17 24 subscribe to the affidavit on the reverse side of the return
17 25 carrier envelope, and fold the ballot or ballots, separately,
17 26 so as to conceal the markings on them, and deposit them in the
17 27 envelope, and securely seal the envelope.

17 28 Sec. 32. Section 53.17, subsections 1 and 2, Code 2005,
17 29 are amended to read as follows:

17 30 1. ~~The sealed envelope containing the absentee ballot~~
17 31 shall be enclosed in a return carrier envelope which shall be
17 32 securely sealed. The sealed return carrier envelope shall be
17 33 returned to the commissioner by one of the following methods:

17 34 a. ~~The sealed return carrier envelope may be delivered by~~
17 35 the registered voter, by an immediate family member of the
18 1 voter, by the special precinct election officials designated

18 2 pursuant to section 53.22, subsection 1, or by the voter's
18 3 designee if the absentee ballot is voted by a voter described
18 4 in section 53.22, subsection 5, to the commissioner's office
18 5 no later than the time the polls are closed on election day.

18 6 b. ~~The sealed return carrier envelope may be mailed to the~~
18 7 commissioner by the registered voter, by an immediate family
18 8 member of the voter, or by the voter's designee if the ballot
18 9 is voted by a voter described in section 53.22, subsection 5.

18 10 c. ~~The sealed return carrier envelope may be delivered to~~
18 11 the commissioner by an absentee ballot courier, but only as
18 12 provided in subsection 4.

18 13 2. In order for the ballot to be counted, the return
18 14 carrier envelope must be received in the commissioner's office
18 15 before the polls close on election day or be clearly
18 16 postmarked by an officially authorized postal service not
18 17 later than the day before the election and received by the
18 18 commissioner not later than noon on the Monday following the
18 19 election.

18 20 Sec. 33. Section 53.18, Code 2005, is amended to read as
18 21 follows:

18 22 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION.

18 23 1. Upon receipt of the return carrier envelope containing

18 24 the completed absentee ballot, the commissioner shall at once
18 25 record the serial number appearing on the application and
18 26 return carrier envelope and time of receipt of such ballot and
18 27 attach the elector's application to the unopened return
18 28 carrier envelope. Absentee ballots shall be stored in a
18 29 secure place until they are delivered to the absentee and
18 30 special voters precinct board.

18 31 2. Upon receipt of the return carrier envelope containing
18 32 the completed absentee ballot, the commissioner shall reveal
18 33 the affidavit on the envelope and shall review the affidavit
18 34 for any deficiencies. If the affidavit contains a deficiency
18 35 which would cause the ballot to be rejected, the commissioner
19 1 shall immediately notify the voter of that fact and that the
19 2 voter may correct the deficiency in the time permitted under
19 3 section 53.17, subsection 2.

19 4 3. If the return carrier envelope is open when received by
19 5 the commissioner, or has been opened and resealed, the
19 6 commissioner shall immediately notify the voter of that fact
19 7 and that the voter's absentee ballot shall not be counted
19 8 unless the voter applies for a replacement ballot and returns
19 9 the replacement ballot in the time permitted under section
19 10 53.17, subsection 2. The replacement ballot application shall
19 11 be the same as is required for an application under section
19 12 53.2. If the information on the replacement ballot
19 13 application matches the information on the original
19 14 application, the voter shall be allowed to complete a
19 15 replacement absentee ballot. The same serial number that was
19 16 assigned to the records of the original absentee ballot
19 17 application shall be used on the envelope and records of the
19 18 replacement ballot. The sealed return carrier envelope
19 19 containing the completed replacement ballot shall be marked
19 20 "Replacement ballot". The return carrier envelope containing
19 21 the original ballot shall be marked "Defective ballot" and the
19 22 replacement ballot and replacement application shall be
19 23 attached to the original application and return carrier
19 24 envelope containing the original ballot and shall be stored in
19 25 a secure place until they are delivered to the absentee and
19 26 special voters precinct board, notwithstanding sections 53.26
19 27 and 53.27.

19 28 Sec. 34. Section 53.19, unnumbered paragraph 1, Code 2005,
19 29 is amended to read as follows:

19 30 The commissioner shall maintain a list of the absentee
19 31 ballots provided to registered voters, the serial number
19 32 appearing on the unsealed return carrier envelope, the date
19 33 the application for the absentee ballot was received, and the
19 34 date the absentee ballot was sent to the registered voter
19 35 requesting the absentee ballot.

20 1 Sec. 35. Section 53.21, unnumbered paragraph 4, Code 2005,
20 2 is amended to read as follows:

20 3 The voter shall enclose one copy of the above statement in
20 4 the return carrier envelope ~~with the ballot envelope~~ and
20 5 retain a copy for the voter's records.

20 6 Sec. 36. Section 53.22, subsection 1, paragraph a,
20 7 unnumbered paragraph 1, Code 2005, is amended to read as
20 8 follows:

20 9 A registered voter who has applied for an absentee ballot,
20 10 in a manner other than that prescribed by section 53.10 or
20 11 53.11, and who is a resident or patient in a health care
20 12 facility or hospital located in the county to which the
20 13 application has been submitted shall be delivered the
20 14 appropriate absentee ballot by two special precinct election
20 15 officers, one of whom shall be a member of each of the
20 16 political parties referred to in section 49.13, who shall be
20 17 appointed by the commissioner from the election board panel
20 18 for the special precinct established by section 53.20. The
20 19 special precinct election officers shall be sworn in the
20 20 manner provided by section 49.75 for election board members,
20 21 shall receive compensation as provided in section 49.20 and
20 22 shall perform their duties during the ten calendar days
20 23 preceding the election and on election day if all ballots
20 24 requested under section 53.8, subsection 3 have not previously
20 25 been delivered and returned.

20 26 Sec. 37. Section 53.22, subsection 5, unnumbered paragraph
20 27 2, Code 2005, is amended to read as follows:

20 28 Absentee ballots voted under this subsection shall be
20 29 delivered to the commissioner no later than the time the polls
20 30 are closed on election day. If the ballot is returned by mail
20 31 the return carrier envelope must be received by the time the
20 32 polls close, or clearly postmarked by an officially authorized
20 33 postal service not later than the day before the election and
20 34 received by the commissioner no later than the time

20 35 established for the canvass by the board of supervisors for
21 1 that election.

21 2 Sec. 38. Section 53.23, subsections 3 and 5, Code 2005,
21 3 are amended to read as follows:

21 4 3. The commissioner shall set the convening time for the
21 5 board, allowing a reasonable amount of time to complete
21 6 counting all absentee ballots by ten p.m. on election day.
21 7 The commissioner may direct the board to meet on the day
21 8 before the election solely for the purpose of reviewing the
21 9 absentee voters' affidavits appearing on the sealed ~~ballot~~
21 10 ~~return carrier~~ envelopes. If in the commissioner's judgment
21 11 this procedure is necessary due to the number of absentee
21 12 ballots received, the members of the board may open the sealed
21 13 ~~ballot return carrier~~ envelopes and remove the secrecy
21 14 envelope containing the ballot, but under no circumstances
21 15 shall a secrecy envelope be opened before the board convenes
21 16 on election day. If the ~~ballot return carrier~~ envelopes are
21 17 opened before election day, two observers, one appointed by
21 18 each of the two political parties referred to in section
21 19 49.13, subsection 2, shall witness the proceedings.

21 20 If the board finds any ballot not enclosed in a secrecy
21 21 envelope ~~and the ballot is folded in such a way that any of~~
21 22 ~~the votes cast on the ballot are visible~~, the two special
21 23 precinct election officials, one from each of the two
21 24 political parties referred to in section 49.13, subsection 2,
21 25 shall place the ballot in a secrecy envelope. No one shall
21 26 examine the ballot. Each of the special precinct election
21 27 officials shall sign the secrecy envelope.

21 28 5. The special precinct election board shall preserve the
21 29 secrecy of all absentee and special ballots. After the
21 30 affidavits on the envelopes have been reviewed and the
21 31 qualifications of the persons casting the ballots have been
21 32 determined, those that have been accepted for counting shall
21 33 be opened. The ballots shall be removed from the ~~affidavit~~
21 34 ~~return carrier~~ envelopes without being unfolded or examined,
21 35 and then shall be thoroughly intermingled, after which they
22 1 shall be unfolded and tabulated. If secrecy folders or
22 2 envelopes are used with special paper ballots, the ballots
22 3 shall be removed from the secrecy folders after the ballots
22 4 have been intermingled.

22 5 Sec. 39. Section 53.25, Code 2005, is amended to read as
22 6 follows:

22 7 53.25 REJECTING BALLOT.

22 8 In case the absentee voter's affidavit is found to be
22 9 insufficient, or that the applicant is not a duly registered
22 10 voter in such precinct, ~~or that the ballot envelope is open,~~
22 11 ~~or has been opened and resealed,~~ or that the ~~ballot return~~
22 12 ~~carrier envelope, or secrecy envelope if applicable, contains~~
22 13 ~~more than one ballot of any one kind, or that said the voter~~
22 14 ~~has voted in person, such vote shall not be accepted or~~
22 15 ~~counted. If the return carrier envelope is open, or has been~~
22 16 ~~opened and resealed, and a sealed return carrier envelope with~~
22 17 ~~the same serial number and marked "Replacement ballot" is not~~
22 18 ~~attached, the vote shall not be accepted or counted.~~

22 19 If the absentee ballot is rejected prior to the opening of
22 20 the ~~ballot return carrier~~ envelope, the voter casting the
22 21 ballot shall be notified by a precinct election official by
22 22 the time the canvass is completed of the reason for the
22 23 rejection on a form prescribed by the state commissioner of
22 24 elections.

22 25 Sec. 40. Section 53.27, Code 2005, is amended to read as
22 26 follows:

22 27 53.27 REJECTION OF BALLOT == RETURN OF ENVELOPE.

22 28 If the ballot is rejected, ~~said ballot~~ ~~the return carrier~~
22 29 ~~envelope, with the affidavit of the voter endorsed thereon,~~
22 30 ~~shall be returned with said the rejected ballot in the~~
22 31 ~~envelope endorsed "Defective ballots".~~

22 32 Sec. 41. Section 53.30, Code 2005, is amended to read as
22 33 follows:

22 34 53.30 BALLOTS, BALLOT ENVELOPES, AND OTHER INFORMATION
22 35 PRESERVED.

23 1 At the conclusion of each meeting of the absentee and
23 2 special voter's precinct board, the board shall securely seal
23 3 all ballots counted by them in the manner prescribed in
23 4 section 50.12. The ~~ballot envelopes, including the return~~
23 5 ~~carrier envelope having the registered voter's affidavit on~~
23 6 ~~it, the return carrier envelope, and any~~ secrecy envelope
23 7 bearing the signatures of precinct election officials, as
23 8 required by section 53.23, shall be preserved. All
23 9 applications for absentee ballots, ballots rejected without
23 10 being opened, absentee ballot logs, and any other documents

23 11 pertaining to the absentee ballot process shall be preserved
23 12 until such time as the documents may be destroyed pursuant to
23 13 section 50.19.

23 14 Sec. 42. Section 53.31, unnumbered paragraph 1, Code 2005,
23 15 is amended to read as follows:

23 16 Any person qualified to vote at the election in progress
23 17 may challenge the qualifications of a person casting an
23 18 absentee ballot by submitting a written challenge to the
23 19 commissioner no later than five p.m. on the ~~day~~ Friday before
23 20 the election. It is the duty of the special precinct
23 21 officials to challenge the absentee ballot of any person whom
23 22 the official knows or suspects is not duly qualified.
23 23 Challenges by members of the special precinct election board
23 24 or observers present pursuant to section 53.23 may be made at
23 25 any time before the close of the polls on election day. The
23 26 challenge shall state the reasons for which the challenge is
23 27 being submitted and shall be signed by the challenger. When a
23 28 challenge is received the absentee ballot shall be set aside
23 29 for consideration by the special precinct election board when
23 30 it meets as required by section 50.22.

23 31 Sec. 43. Section 53.32, Code 2005, is amended to read as
23 32 follows:

23 33 53.32 BALLOT OF DECEASED VOTER.

23 34 When it shall be made to appear by due proof to the
23 35 precinct election officials that any elector, who has so
24 1 marked and forwarded a ballot, has died before the ~~ballot~~
24 2 return carrier envelope is opened, then the ballot of such
24 3 deceased voter shall be endorsed, "Rejected because voter is
24 4 dead", and be returned to the commissioner; but the casting of
24 5 the ballot of a deceased voter shall not invalidate the
24 6 election.

24 7 Sec. 44. Section 53.37, Code 2005, is amended to read as
24 8 follows:

24 9 53.37 DEFINITIONS.

24 10 1. This division is intended to implement the federal
24 11 Uniform and Overseas Citizens Absentee Voting Act, 42 U.S.C. }
24 12 1973ff et seq.

24 13 2. The term "armed forces of the United States", as used
24 14 in this division, shall mean the army, navy, marine corps,
24 15 coast guard, and air force of the United States.

24 16 3. For the purpose of absentee voting only, there shall be
24 17 included in the term "armed forces of the United States" the
24 18 following:

24 19 ~~1-~~ a. Spouses and dependents of members of the armed
24 20 forces while in active service.

24 21 ~~2-~~ b. Members of the merchant marine of the United States
24 22 and their spouses and dependents.

24 23 ~~3-~~ c. Civilian employees of the United States in all
24 24 categories serving outside the territorial limits of the
24 25 several states of the United States and the District of
24 26 Columbia and their spouses and dependents when residing with
24 27 or accompanying them, whether or not the employee is subject
24 28 to the civil service laws and the Classification Act of 1949,
24 29 and whether or not paid from funds appropriated by the
24 30 Congress.

24 31 ~~4-~~ d. Members of religious groups or welfare agencies
24 32 assisting members of the armed forces, who are officially
24 33 attached to and serving with the armed forces, and their
24 34 spouses and dependents.

24 35 ~~5-~~ e. Citizens of the United States who do not fall under
25 1 any of the categories described in subsections 1 to 4, but who
25 2 are entitled to register and vote pursuant to section 48A.5,
25 3 subsection 4.

25 4 4. For the purposes of this division, "qualified voter"
25 5 means a person who is included within the term "armed forces
25 6 of the United States" as described in this section, who would
25 7 be qualified to register to vote under section 48A.5,
25 8 subsection 2, except for residency, and who is not
25 9 disqualified from registering to vote and voting under section
25 10 48A.6.

25 11 Sec. 45. Section 53.38, Code 2005, is amended to read as
25 12 follows:

25 13 53.38 WHAT CONSTITUTES REGISTRATION.

25 14 Whenever a ballot is requested pursuant to section 53.39 or
25 15 53.45 on behalf of a voter in the armed forces of the United
25 16 States, the affidavit upon the ballot envelope of such voter,
25 17 if the voter is found to be an eligible elector of the county
25 18 to which the ballot is submitted, shall constitute a
25 19 sufficient registration under chapter 48A. A completed
25 20 federal postcard registration and federal absentee ballot
25 21 request form submitted by such eligible elector shall also

25 22 constitute a sufficient registration under chapter 48A. The
25 23 commissioner shall place the voter's name on the registration
25 24 record as a registered voter if it does not already appear
25 25 there. The identification requirements of section 48A.8 and
25 26 the verification requirements of section 48A.25A do not apply
25 27 to persons who register to vote under this division.

25 28 Sec. 46. Section 53.41, Code 2005, is amended to read as
25 29 follows:

25 30 53.41 RECORDS BY COMMISSIONER == EXCESS REQUESTS OR
25 31 BALLOTS.

25 32 The commissioner of each county shall establish and
25 33 maintain a record of all requests for ballots which are made,
25 34 and of all ballots transmitted, and the manner of transmittal,
25 35 from and received in the commissioner's office under the

26 1 provisions of this division.
26 2 PARAGRAPH DIVIDED. If more than one request for absent
26 3 voter's ballot for a particular election is made to the
26 4 commissioner before the ballots are ready to mail by or on
26 5 behalf of a voter in the armed forces of the United States,
26 6 the last request ~~first~~ received shall be honored, except that
26 7 if one of the requests is made by the voter, ~~and a request on~~
26 8 ~~the voter's behalf has not been previously honored,~~ the
26 9 request of the voter shall be honored in preference to a
26 10 request made on the voter's behalf by another.

26 11 PARAGRAPH DIVIDED. Not more than one ballot shall be
26 12 transmitted by the commissioner to any voter for a particular
26 13 election unless after the ballot has been mailed the voter
26 14 reports a change in the address to which the ballot should be
26 15 sent. A ballot shall be mailed using a serial number that
26 16 indicates that this is a replacement sent to an updated
26 17 address. The original ballot shall be counted only if the
26 18 replacement ballot does not arrive. If the commissioner
26 19 receives more than one absent voter's ballot, provided for by
26 20 this division, from or purporting to be from any one voter for
26 21 a particular election, all of the ballots so received from or
26 22 purporting to be from such voter are void, and the
26 23 commissioner shall not deliver any of the ballots to the
26 24 precinct election officials, but shall retain them in the
26 25 commissioner's office, and preserve them for the period and
26 26 under the conditions provided for in sections 50.12 through
26 27 50.15 and section 50.19.

26 28 Sec. 47. Section 53.44, unnumbered paragraph 2, Code 2005,
26 29 is amended to read as follows:

26 30 Absentee ballots issued under this division shall be
26 31 ~~returned in the same manner either by mail by the voter or a~~
26 32 ~~person designated by the voter or by personal delivery by the~~
26 33 ~~voter or a person designated by the voter~~ and within the same
26 34 time limits specified in section 53.17.

26 35 Sec. 48. Section 53.53, subsection 4, paragraph a, Code
27 1 2005, is amended to read as follows:

27 2 a. The ballot was submitted from within the United States,
27 3 unless the voter is a member of the armed forces of the United
27 4 States, as described in section 53.37, subsection 2, on active
27 5 duty and away from the voter's county of residence for
27 6 purposes of serving on active duty.

27 7 Sec. 49. Section 53.53, subsection 4, paragraph b, Code
27 8 2005, is amended to read as follows:

27 9 b. The voter's application for a regular absentee ballot
27 10 was received by the commissioner less than thirty fourteen
27 11 days prior to the election.

27 12 Sec. 50. Section 53.35, Code 2005, is repealed.

27 13 Sec. 51. APPLICABILITY DATE. This division of this Act
27 14 applies to elections held on or after January 1, 2006.

27 15 DIVISION III
27 16 VOTER REGISTRATION

27 17 Sec. 52. Section 48A.2, Code 2005, is amended by adding
27 18 the following new subsection:

27 19 NEW SUBSECTION. 6. "Voter registration list" means a
27 20 compilation of voter registration records produced, upon
27 21 request, from the electronic voter registration file or by
27 22 viewing, upon request, the original, completed voter
27 23 registration applications and forms.

27 24 Sec. 53. Section 48A.11, subsection 8, Code 2005, is
27 25 amended to read as follows:

27 26 8. A voter registration application lacking the
27 27 registrant's name, sex, date of birth, or residence address or
27 28 description shall not be processed. A voter registration
27 29 application lacking the registrant's driver's license number,
27 30 Iowa nonoperator's identification card number, or the last
27 31 four digits of the registrant's social security number shall
27 32 not be processed. A voter registration application lacking

~~27 33 the registrant's signature shall not be processed. A~~
27 34 registrant whose registration is not processed pursuant to
27 35 this subsection shall be notified pursuant to section 48A.26,
28 1 subsection 3. A registrant who does not have an Iowa driver's
28 2 license number, an Iowa nonoperator's identification number,
28 3 or a social security number and who notifies the registrar of
28 4 such shall be assigned a unique identifying number that shall
28 5 serve to identify the registrant for voter registration
28 6 purposes.

28 7 Sec. 54. Section 48A.25A, Code 2005, is amended to read as
28 8 follows:

28 9 48A.25A VERIFICATION OF VOTER REGISTRATION INFORMATION.

28 10 Upon receipt of an application for voter registration ~~by~~
~~28 11 mail~~, the state registrar of voters shall compare the driver's
28 12 license number, the Iowa nonoperator's identification card
28 13 number, or the last four numerals of the social security
28 14 number provided by the registrant with the records of the
28 15 state department of transportation ~~or the social security~~
~~28 16 administration~~. To be verified, the voter registration record
28 17 shall contain the same name, date of birth, and driver's
28 18 license number or Iowa nonoperator's identification card
28 19 number or whole or partial social security number as the
28 20 records of the state department of transportation ~~or social~~
~~28 21 security administration~~. If the information cannot be
28 22 verified, the application shall be rejected and the registrant
28 23 shall be notified of the reason for the rejection. If the
28 24 information can be verified, a record shall be made of the
28 25 verification and the application shall be accepted.

28 26 The voter registration commission shall adopt rules in
28 27 accordance with chapter 17A to provide procedures for
28 28 processing registration applications if the ~~state department~~
~~28 29 of transportation does not~~, ~~applications cannot be verified~~
28 30 before the close of registration for an election for which the
28 31 voter registration ~~otherwise~~ would be effective, ~~if verified~~,
~~28 32 provide a report that the information on the application has~~
~~28 33 matched or not matched the records of the department.~~

28 34 This section does not apply to persons ~~described in section~~
~~28 35 53.37 who are~~ entitled to register to vote and to vote
29 1 pursuant to section 48A.5, subsection 4.

29 2 Sec. 55. Section 48A.26, subsection 4, Code 2005, is
29 3 amended to read as follows:

29 4 4. If the registrant applied by mail to register to vote
29 5 and did not answer either "yes" or "no" to the question in
29 6 section 48A.11, subsection 3, paragraph "a", the application
29 7 shall be processed, ~~but the registration shall be designated~~
~~29 8 as valid only for elections that do not include candidates for~~
~~29 9 federal offices on the ballot~~. The acknowledgment shall
29 10 advise the applicant that the ~~status of the registration is~~
~~29 11 local and the reason for the registration being assigned local~~
~~29 12 status applicant must submit a new form with the appropriate~~
~~29 13 box checked~~. The commissioner shall enclose a new
29 14 registration by mail form for the applicant to use. If the
29 15 original application is received during the twelve days before
29 16 the close of registration for an election that includes
29 17 candidates for federal offices on the ballot, the commissioner
29 18 shall provide the registrant with an opportunity to complete
29 19 the form before the close of registration.

29 20 Sec. 56. Section 48A.37, subsection 2, Code 2005, is
29 21 amended to read as follows:

29 22 2. Electronic records shall include a status code
29 23 designating whether the records are active, inactive, ~~local~~,
29 24 or pending. Inactive records are records of registered voters
29 25 to whom notices have been sent pursuant to section 48A.28,
29 26 subsection 3, and who have not returned the card or otherwise
29 27 responded to the notice, and those records have been
29 28 designated inactive pursuant to section 48A.29. ~~Local records~~
~~29 29 are records of applicants who did not answer either "yes" or~~
~~29 30 "no" to the question in section 48A.11, subsection 3,~~
~~29 31 paragraph "a"~~. Pending records are records of applicants
29 32 whose applications have not been verified pursuant to section
29 33 48A.25A. All other records are active records. An inactive
29 34 record shall be made active when the registered voter votes at
29 35 an election, registers again, or reports a change of name,
30 1 address, telephone number, or political party affiliation. A
30 2 pending record shall be made active upon verification. ~~A~~
~~30 3 local record shall be valid for any election for which no~~
~~30 4 candidates for federal office appear on the ballot. A~~
~~30 5 registrant with only a local record shall not vote in a~~
~~30 6 federal election unless the registrant submits a new voter~~
~~30 7 registration application before election day indicating that~~
~~30 8 the applicant is a citizen of the United States.~~

30 9 Sec. 57. APPLICABILITY DATE. This division of this Act
30 10 applies to elections held on or after January 1, 2006.

30 11 DIVISION IV
30 12 ELECTION OF TOWNSHIP OFFICIALS

30 13 Sec. 58. Section 39.21, Code 2005, is amended by adding
30 14 the following new subsection:

30 15 NEW SUBSECTION. 4. Township officers as provided in
30 16 section 39.22, subsection 2.

30 17 Sec. 59. Section 39.22, subsection 1, unnumbered paragraph
30 18 2, Code 2005, is amended to read as follows:

30 19 The election of the trustees and clerk of a township may be
30 20 restored after approval of the appointment process under this
30 21 subsection by a resolution of the board of supervisors
30 22 submitting the question to the registered voters who are
30 23 eligible to vote for township officers of the township at the
30 24 next general election. If the proposition to restore the
30 25 election process is approved by a majority of those voting on
30 26 the question, the election of the township officers shall
30 27 commence with the next ~~primary and general elections~~ election.
30 28 A resolution submitting the question of restoring the election
30 29 of township officers at the next general election shall be
30 30 adopted by the board of supervisors upon receipt of a petition
30 31 signed by eligible electors residing in the township equal in
30 32 number to at least ten percent of the registered voters of a
30 33 township. The initial terms of the trustees shall be
30 34 determined by lot, one for two years, and two for four years.
30 35 However, if a proposition to change the method of selecting
31 1 township officers is adopted by the electorate, a resolution
31 2 to change the method shall not be submitted to the electorate
31 3 for four years.

31 4 Sec. 60. Section 39.22, subsection 2, Code 2005, is
31 5 amended to read as follows:

31 6 2. BY ELECTION. If the county board of supervisors does
31 7 not have the power provided under subsection 1 to fill the
31 8 offices of trustee and clerk within a township by appointment,
31 9 then the offices of township trustee and township clerk shall
31 10 be filled by election on a nonpartisan basis. Township
31 11 trustees and the township clerk, in townships which do not
31 12 include a city, shall be elected by the voters of the entire
31 13 township. In townships which include a city, the officers
31 14 shall be elected by the voters of the township who reside
31 15 outside the corporate limits of the city, but a township
31 16 officer may be a resident of the city.

31 17 a. TOWNSHIP OFFICERS. The election of township officers
31 18 shall take place at the general election on ballots which
31 19 shall not reflect a nominee's political affiliation.
31 20 Nomination shall be made by petition in accordance with
31 21 chapter 45. The petition form shall be furnished by the
31 22 county commissioner of elections and shall be filed with the
31 23 county commissioner of elections. A plurality is sufficient
31 24 to elect the township officers.

31 25 ~~a-~~ b. TOWNSHIP TRUSTEES. Township trustees shall be
31 26 elected biennially to succeed those whose terms of office
31 27 expire on the first day of January following the election
31 28 which is not a Sunday or legal holiday. The term of office of
31 29 each elected township trustee is four years, except as
31 30 provided in subsection 1 for initial terms following
31 31 restoration of the election process.

31 32 ~~b-~~ c. TOWNSHIP CLERK. At the general election held in the
31 33 year 1990 and every four years thereafter, in each civil
31 34 township one township clerk shall be elected who shall hold
31 35 office for the term of four years.

32 1 Sec. 61. Section 43.26, Code 2005, is amended to read as
32 2 follows:

32 3 43.26 BALLOT == FORM.

32 4 The official primary election ballot shall be prepared,
32 5 arranged, and printed substantially in the following form:

32 6 PRIMARY ELECTION BALLOT
32 7 (Name of Party) of
32 8 County of
32 9, State of Iowa,
32 10 ... Rotation (if any).
32 11 Primary election held on
32 12 the ... day of June,(year)
32 13 FOR UNITED STATES SENATOR
32 14 (Vote for no more than one.)
32 15 _____ CANDIDATE'S NAME
32 16 _____ CANDIDATE'S NAME
32 17 _____
32 18 FOR UNITED STATES
32 19 REPRESENTATIVE

32 20 (Vote for no more than one.)
 32 21 _____ CANDIDATE'S NAME
 32 22 _____ CANDIDATE'S NAME
 32 23 _____

32 24 FOR GOVERNOR
 32 25 (Vote for no more than one.)
 32 26 _____ CANDIDATE'S NAME
 32 27 _____ CANDIDATE'S NAME
 32 28 _____

32 29 (Followed by other elective state officers in the order in
 32 30 which they appear in section 39.9 and district officers in the
 32 31 order in which they appear in sections 39.15 and 39.16.)
 32 32 FOR BOARD OF SUPERVISORS
 32 33 (Vote for no more than two.)
 32 34 _____ CANDIDATE'S NAME
 32 35 _____ CANDIDATE'S NAME

33 1 _____

33 2 _____

33 3 FOR COUNTY AUDITOR
 33 4 (Vote for no more than one.)
 33 5 _____ CANDIDATE'S NAME
 33 6 _____ CANDIDATE'S NAME
 33 7 _____

33 8 (Followed by other elective county officers in the order in
 33 9 which they appear in section 39.17.)
 33 10 FOR TOWNSHIP CLERK
 33 11 ~~(Vote for no more than one.)~~
 33 12 _____ CANDIDATE'S NAME
 33 13 _____ CANDIDATE'S NAME
 33 14 _____

33 15 FOR TOWNSHIP TRUSTEES
 33 16 ~~(Vote for no more than two.)~~
 33 17 _____ CANDIDATE'S NAME
 33 18 _____ CANDIDATE'S NAME
 33 19 _____ CANDIDATE'S NAME
 33 20 _____

33 21 _____

33 22 Sec. 62. Section 43.53, Code 2005, is amended to read as
 33 23 follows:

33 24 43.53 NOMINEES FOR SUBDIVISION OFFICE == WRITE-IN
 33 25 CANDIDATES.

33 26 The nominee of each political party for any office to be
 33 27 filled by the voters of any ~~township or other~~ political
 33 28 subdivision within the county shall be the person receiving
 33 29 the highest number of votes cast in the primary election by
 33 30 the voters of that party for the office. That person shall
 33 31 appear as the party's candidate for the office on the general
 33 32 election ballot. A person whose name is not printed on the
 33 33 official primary ballot shall not be declared nominated as a
 33 34 candidate for such office in the general election unless that
 33 35 person receives at least five votes. Nomination of a
 34 1 candidate for the office of county supervisor elected from a
 34 2 district within the county shall be governed by section 43.52
 34 3 and not by this section.

34 4 Sec. 63. Section 43.67, unnumbered paragraph 1, Code 2005,
 34 5 is amended to read as follows:

34 6 Each candidate nominated pursuant to section 43.52 or 43.65
 34 7 is entitled to have the candidate's name printed on the
 34 8 official ballot to be voted at the general election without
 34 9 other certificate unless the candidate was nominated by write=
 34 10 in votes. Immediately after the completion of the canvass
 34 11 held under section 43.49, the county auditor shall notify each
 34 12 person who was nominated by write-in votes for a county ~~or~~
 34 13 ~~township~~ office that the person is required to file an
 34 14 affidavit of candidacy if the person wishes to be a candidate
 34 15 for that office at the general election. Immediately after
 34 16 the completion of the canvass held under section 43.63, the
 34 17 secretary of state shall notify each person who was nominated
 34 18 by write-in votes for a state or federal office that the
 34 19 person is required to file an affidavit of candidacy if the
 34 20 person wishes to be a candidate for that office at the general
 34 21 election. If the affidavit is not filed by five p.m. on the
 34 22 seventh day after the completion of the canvass, that person's
 34 23 name shall not be placed upon the official general election
 34 24 ballot. The affidavit shall be signed by the candidate,
 34 25 notarized, and filed with the county auditor or the secretary
 34 26 of state, whichever is applicable.

34 27 Sec. 64. Section 49.30, subsection 1, Code 2005, is
 34 28 amended to read as follows:

34 29 1. Where special paper ballots are used, if it is not
 34 30 possible to include all offices and public measures on a

34 31 single ballot, separate ballots may be provided for ~~township~~
34 32 ~~offices~~, nonpartisan offices, judges, or public measures.

34 33 Sec. 65. Section 49.30, subsection 2, paragraph a, Code
34 34 2005, is amended to read as follows:

34 35 a. If it is impossible to place the names of all
35 1 candidates on the machine ballot, the commissioner may provide
35 2 a separate paper ballot for the candidates for judge of the
35 3 district court, ~~the township offices~~, and the nonpartisan
35 4 offices listed in section 39.21. One of the paper ballots
35 5 shall be furnished to each registered voter.

35 6 Sec. 66. Section 49.37, subsection 3, Code 2005, is
35 7 amended to read as follows:

35 8 3. The commissioner shall arrange the partisan county
35 9 offices on the ballot with the board of supervisors first,
35 10 followed by the other county offices ~~and township offices~~ in
35 11 the same sequence in which they appear in sections section
35 12 39.17 ~~and 39.22~~. Nonpartisan offices shall be listed after
35 13 partisan offices.

35 14 Sec. 67. Section 43.21, Code 2005, is repealed.

35 15 Sec. 68. APPLICABILITY DATE. This division of this Act
35 16 applies to elections held on or after January 1, 2006.

35 17 EXPLANATION

35 18 This bill makes various changes to the Code relating to the
35 19 conduct of elections, voting, and voter registration.

35 20 Division I of the bill amends provisions relating to the
35 21 conduct of elections as follows:

35 22 Code section 43.6 is amended to provide that if a vacancy
35 23 in a county office occurs more than 73 days before the primary
35 24 election, political party candidates to fill that office at
35 25 the general elections shall be nominated at the primary
35 26 election.

35 27 Code sections 43.14 and 45.5, relating to the form of
35 28 nomination papers filed for the primary election or filed by
35 29 persons nominated by petition, are amended to provide that a
35 30 signature line shall not be counted if the signer's address is
35 31 obviously outside of the appropriate area or district. Code
35 32 section 45.5 is further amended, along with Code section 45.6,
35 33 to clarify that a person signing a nomination petition must be
35 34 a resident of the appropriate ward, city, county, or district.

35 35 Code section 49.10 is amended to remove the requirement
36 1 that a room or area containing a polling place for more than
36 2 one precinct maintain separate entrances.

36 3 Code section 49.14 is amended to remove the requirement
36 4 that a majority of the members of the original precinct
36 5 election board be present at the precinct polling place at all
36 6 times on election day. However, the division does require
36 7 that the chairperson of the precinct election board be present
36 8 at the precinct polling place at all times on election day.

36 9 Code section 49.26 is amended to remove the factors that a
36 10 county commissioner of elections is to consider when
36 11 determining whether, in an election for a city of 3,500 or
36 12 less population or in a school district election, voting shall
36 13 be by voting machine or paper ballot.

36 14 Code section 49.31 is amended to provide that on general
36 15 election ballots the names of candidates for nonpartisan
36 16 office shall be arranged in alphabetical order by surname.
36 17 Currently, the arrangement of such names is determined by lot
36 18 drawn by the board of supervisors.

36 19 Code section 49.57 is amended to provide that a ballot
36 20 shall be printed to contain the unique identification number
36 21 or name assigned by the commissioner to the ballot style
36 22 rather than a designation of the ballot rotation.

36 23 Code section 49.57 is amended to remove the requirement
36 24 that the names of candidates and political parties appear in
36 25 all capital letters on ballots. The section is also amended
36 26 to allow the names of political parties and nonparty political
36 27 organizations to be abbreviated on ballots if the
36 28 abbreviations are printed with the full name in the "Straight
36 29 Party" and "Other Political Party" areas of the ballot.

36 30 Finally, the Code section is amended to require a minimum font
36 31 size on ballots for constitutional convention questions,
36 32 constitutional amendments, and public measures. A
36 33 corresponding amendment is made to Code section 52.25.

36 34 Code section 49.73 is amended to provide that the polls may
36 35 open at noon, rather than 7 a.m., for any election conducted
37 1 for the unincorporated area of a county. Currently, the polls
37 2 may open at noon for an election in the unincorporated area of
37 3 the county only if it is an election on a local option sales
37 4 and services tax.

37 5 Code section 49.77 is amended to require a county
37 6 commissioner of elections to print the affidavit of

37 7 eligibility on each page of the election register and the
37 8 signature of the voter in the register next to the voter's
37 9 printed name serves as that voter's declaration of
37 10 eligibility.

37 11 Code section 49.77 is also amended to remove the
37 12 requirement that the precinct election official call aloud the
37 13 name of each voter who has arrived at the polls to vote. The
37 14 section is also amended to require the precinct election
37 15 official to make available for viewing a listing of voters who
37 16 have signed declarations of eligibility for observers allowed
37 17 at the polling place to know the identification of the voter
37 18 who has arrived at the polls to vote.

37 19 Code section 49.79 is amended to provide a specific list of
37 20 reasons that a person may be challenged as unqualified to
37 21 vote.

37 22 Code section 50.16, relating to preparation of tally lists,
37 23 is amended to make a technical correction changing "officer"
37 24 to "office" and is further amended to remove the A.D. (anno
37 25 Domini) abbreviation from the space for the date on the tally
37 26 list.

37 27 Code section 50.25 is amended to provide that the abstract
37 28 of votes in the general election may be made on one sheet for
37 29 county offices, rather than a separate sheet for each county
37 30 officer.

37 31 Code section 376.11, relating to write-in votes for city
37 32 offices, is amended to provide that if a person elected by
37 33 write-in votes at a regular city election chooses not to
37 34 serve, the person shall submit the person's resignation to the
37 35 city clerk by 5 p.m. on the tenth day following the canvass of
38 1 that election. Currently, the resignation is required by 5
38 2 p.m. on the day following the canvass of the election.

38 3 Code section 376.11 is also amended to establish a deadline
38 4 for filing a petition to request a special election if a
38 5 write-in candidate who wins a city election declines the
38 6 office, and the candidate receiving the next highest number of
38 7 votes is declared the winner. The deadline established for
38 8 filing the petition is within 10 days after the clerk has
38 9 notified the candidate next declared the winner.

38 10 This division of the bill applies to elections held on or
38 11 after January 1, 2006.

38 12 Division II of the bill makes changes relating to absentee
38 13 voting.

38 14 Code section 39A.4 is amended to prohibit incumbent
38 15 officeholders and candidates seeking offices on the ballot
38 16 from serving as observers or challengers of the process of
38 17 counting absentee ballots. Candidates and officeholders are
38 18 currently prohibited from serving in this capacity at the
38 19 polls on election day.

38 20 Code sections 49.63, 53.7, 53.8, and 53.22 are amended to
38 21 add voting in person at the commissioner's office to those
38 22 sections that also reference satellite absentee voting.

38 23 Code section 53.2 is amended to allow a voter to apply in
38 24 person at the commissioner's office for an absentee ballot
38 25 from 8 a.m. until 11 a.m. on the day of the election if it is
38 26 an election at which the commissioner has directed that the
38 27 polls shall open at noon. The county commissioner of
38 28 elections may, by law, direct that the polls be opened at noon
38 29 for any school district election, city elections in cities of
38 30 3,500 or less population, for cities above 3,500 population if
38 31 there is no contested election or public measure on the
38 32 ballot, any benefited district, and elections on local option
38 33 sales and services tax in the unincorporated area of the
38 34 county.

38 35 Code section 53.2 is further amended to provide that, in a
39 1 general election year, any application for a general election
39 2 absentee ballot which is received by the commissioner on or
39 3 before the date of the primary election shall be returned to
39 4 the applicant with a notice stating that the application may
39 5 not be submitted until after the primary election.

39 6 Code section 53.2 is also amended to provide that an
39 7 application for an absentee ballot require the date of birth
39 8 of the registered voter who is applying for the absentee
39 9 ballot.

39 10 Code section 53.8 is amended to delete the requirement that
39 11 a separate affidavit envelope be provided to an absentee voter
39 12 and requires that the return carrier envelope have printed on
39 13 it the voter's affidavit of eligibility and a serial number.
39 14 The bill makes corresponding amendments in other sections of
39 15 Code chapter 53 and to Code section 50.20.

39 16 Code section 53.8 is amended to clarify that voters who
39 17 expect to be patients or residents of health care facilities

39 18 or hospitals on election day are not prohibited from voting
39 19 absentee in person at the commissioner's office.

39 20 Code section 53.13 is amended to provide that the return
39 21 carrier envelope shall be in the form prescribed by the state
39 22 commissioner of elections. The form prescribed by the state
39 23 commissioner shall include a method whereby the affidavit can
39 24 be revealed to the county commissioner of elections while
39 25 allowing the envelope to remain sealed.

39 26 Code section 53.17 is amended to allow an immediate family
39 27 member of an absentee voter to deliver the voted ballot to the
39 28 commissioner's office. Corresponding amendments are made to
39 29 Code sections 39A.4 and 53.8.

39 30 Code section 53.18 is amended to require the county
39 31 commissioner of elections to review the affidavit on a return
39 32 carrier envelope received by the commissioner. If there is a
39 33 deficiency in the affidavit, the commissioner is to
39 34 immediately contact the voter and inform the voter of the
39 35 deficiency and that the deficiency may be corrected by the
40 1 voter in the time allowed by statute for returning an absentee
40 2 ballot.

40 3 Code section 53.18 is also amended to require the county
40 4 commissioner of elections to notify an absentee voter if the
40 5 voter's completed absentee ballot is returned in a return
40 6 carrier envelope that is unsealed or that has been opened and
40 7 resealed. The commissioner shall allow the voter to complete
40 8 another application and a replacement ballot in the time
40 9 allowed by statute for returning an absentee ballot. A
40 10 corresponding amendment is made to Code section 53.25.

40 11 Code section 53.31 is amended to change the deadline for
40 12 filing a challenge to an absentee voter from 5 p.m. on the day
40 13 before the election to 5 p.m. on the Friday before the
40 14 election.

40 15 Code section 53.35, which makes it unlawful for a person to
40 16 fail to return an absentee ballot, is repealed. A
40 17 corresponding amendment is made to Code section 39A.5.

40 18 Code section 53.38 is amended to provide that military and
40 19 overseas voters are not subject to the requirement for persons
40 20 registering by mail to provide identification when voting nor
40 21 are they subject to the requirement that identification
40 22 numbers on absentee ballots be verified.

40 23 Code section 53.41 is amended to provide that if more than
40 24 one request is received by the commissioner for an absentee
40 25 ballot for a military and overseas voter, the last request
40 26 received shall be honored, except that the voter's request
40 27 shall take preference over a request made by another person on
40 28 the voter's behalf. Code section 53.41 is also amended to
40 29 allow military and overseas voters to update their absentee
40 30 ballot requests with new address information during the two=
40 31 year period covered by the original application. The Code
40 32 section is also amended to permit the mailing of a replacement
40 33 absentee ballot to a military or overseas voter who reports a
40 34 change of address after a ballot has been mailed to the voter.

40 35 Code section 53.44 is amended to exempt military and
41 1 overseas voters from the restrictions that apply to returning
41 2 absentee ballots.

41 3 Code section 53.53 is amended to allow a member of the
41 4 armed forces to return an absentee ballot from within the
41 5 United States if the person is on active duty within the
41 6 United States. The Code section is also amended to provide
41 7 that a federal write-in ballot shall not be counted if the
41 8 voter's application for a regular absentee ballot was received
41 9 by the commissioner less than 14 days before the election.
41 10 Currently, the receipt date is 30 days before the election.

41 11 This division of the bill applies to elections held on or
41 12 after January 1, 2006.

41 13 Division III of the bill makes changes relating to voter
41 14 registration.

41 15 Code section 48A.2 is amended to add a definition of "voter
41 16 registration list".

41 17 Code section 48A.11 is amended to provide that a voter
41 18 registration application lacking the signature of the
41 19 registrant shall not be processed.

41 20 Code section 48A.25A is amended to include the social
41 21 security administration, along with the state department of
41 22 transportation, as a source for verifying the last four digits
41 23 of the social security number provided by a voter registration
41 24 applicant. The Code section is also amended to clarify that
41 25 it is the county commissioner of registration who is
41 26 responsible for verifying voter registration application
41 27 information. Finally, the Code section is amended to provide
41 28 that all military and overseas voters are exempt from the

41 29 verification requirements.

41 30 Code sections 48A.26 and 48A.37 are amended to remove the
41 31 status of "local" registration for those persons who
41 32 registered by mail and neglected to answer or answered "no" to
41 33 the question pertaining to United States citizenship. Code
41 34 section 48A.26 is amended to require the county registrar of
41 35 voters to include a new registration form along with the
42 1 acknowledgment mailed to the registrant and to inform the
42 2 registrant that a new form must be submitted.

42 3 This division of the bill applies to elections held on or
42 4 after January 1, 2006.

42 5 Division IV of the bill changes the offices of township
42 6 trustee and township clerk to nonpartisan elected offices.

42 7 This division applies to elections held on or after January
42 8 1, 2006.

42 9 LSB 2448SC 81

42 10 sc:rj/cf/24